

Message Text

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FM SECSTATE WASHDC
TO AMEMBASSY KABUL

C O N F I D E N T I A L STATE 304337

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E.O. 11652: GDS

TAGS: SHUM, AF

SUBJECT: HUMAN RIGHTS REPORTING

1. FOLLOWING IS TEXT OF AFGHANISTAN SECTION OF 1977 AMNESTY
INTERNATIONAL REPORT:

BEGIN TEXT - ON 7 DECEMBER 1976, THE SEMI-OFFICIAL KABUL
TIMES ANNOUNCED THAT FORMER ARMY GENERAL MIR AHMED SHAH AND
A NUMBER OF OTHERS (ANOTHER REPORT MENTIONED 50) WERE BEING
DETAINED ON THE CHARGE OF PLOTTING TO OVERTHROW THE GOVERN-
MENT. THIS WAS THE THIRD ALLEGED ATTEMPT TO OVERTHROW THE
REPUBLICAN GOVERNMENT OF PRESIDENT SARDAR MOHAMMED DAUD
SINCE IT REPLACED THE MONARCHY OF KING ZAHIR BY A MILITARY
COUP IN JULY 1973. ON BOTH PREVIOUS OCCASIONS, IN 1973
AND 1974, THE RINGLEADERS HAD REPORTEDLY BEEN FOUND GUILTY
BY A MILITARY TRIBUNAL AND SENTENCED TO DEATH.

IN FEBRUARY 1977, THE LOYAH JIRGAH (GRAND ASSEMBLY) OF THE
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REPUBLIC ELECTED SARDAR DAUD AS THE FIRST PRESIDENT, AND
UNANIMOUSLY APPROVED A NEW CONSTITUTION, WHICH INCLUDES
ARTICLES FORBIDDING THE USE OF TORTURE AND UNJUST DETENTION.
IN JUNE 1977, AMNESTY INTERNATIONAL'S SECRETARY GENERAL
WROTE TO PRESIDENT DAUD WELCOMING THE HUMAN RIGHTS PRO-
VISIONS EMBODIED IN THE CONSTITUTION, BUT EXPRESSING CON-

CONCERN AT CERTAIN UNCONFIRMED REPORTS OF THE TORTURE OF
DETAINEES IN AFGHANISTAN AND SEEKING FURTHER INFORMATION
ABOUT HOW THE HUMAN RIGHTS PROVISIONS OF THE NEW CONSTITU-
TION WOULD BE IMPLEMENTED. HE ALSO REQUESTED FURTHER
DETAILS ABOUT THE USE OF MILITARY TRIBUNALS IN AFGHANISTAN
IN CASES ALLEGEDLY INVOLVING THE NATIONAL SECURITY, AND IN
PARTICULAR ABOUT THE PRECISE CHARGES AGAINST, AND THE TRIAL
OF, MIR AHMED SHAH AND HIS CO-DEFENDANTS. FINALLY, HE
EXPRESSED CONCERN OVER THE APPARENT CONTINUED USE OF
CAPITAL PUNISHMENT IN AFGHANISTAN. END TEXT

2. FINAL VERSIONS OF 1977 HUMAN RIGHTS EVALUATION PLANS
HAVE BEEN COMPLETED IN BOTH CLASSIFIED AND UNCLASSIFIED
FORMS. ALL OF POST'S SUGGESTED CHANGES WERE INCORPORATED
INTO FINAL TEXTS. COPIES WILL BE POUCHED TO YOU.

3. IN REVIEWING COMPLETED 1977 PLANS IT IS EVIDENT THAT
WE HAVE LITTLE SPECIFIC INFORMATION ON CERTAIN HUMAN RIGHTS
MATTERS. IN PREPARING COUNTRY EVALUATION PLAN WE HAD TO
WAFFLE A BIT.

4. AS YOU ESTABLISH REPORTING PRIORITIES FOR COMING YEAR
PLEASE BEAR IN MIND THAT HUMAN RIGHTS EVALUATION PLANS
LIKELY TO BE AN ANNUAL EXERCISE. IN VIEW OF HIGH
PRIORITY GIVEN BY THIS ADMINISTRATION TO HUMAN RIGHTS
ISSUES EXPANDED REPORTING AND ANALYSIS OF HUMAN RIGHTS
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PRACTICES AND PROSPECTS, PARTICULARLY WHERE THERE ARE GAPS,
WOULD BE HELPFUL. YOUR GUIDE IN THIS EFFORT SHOULD BE
THE OUTLINE FOR COUNTRY EVALUATION PLANS. IN ADDITION
WOULD APPRECIATE RECEIVING ANY COMMENTS POST MIGHT HAVE
ON AFGHANISTAN SECTION OF 1977 AMNESTY INTERNATIONAL RE-
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